




CLERK, U.S. BANKRUPTCY COURT
NORTHERN DISTRICT OF TEXAS

ENTERED

THE DATE OF ENTRY IS ON
THE COURT'S DOCKET

The following constitutes the ruling of the court and has the force and effect therein described.

Signed January 20, 2017


United States Bankruptcy Judge

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE NORTHERN DISTRICT OF TEXAS
FORT WORTH DIVISION

IN RE:

KEHINDE OLUGBOLAHAN OGUNDIPE

DEBTOR

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IN PROCEEDINGS UNDER

CHAPTER 13

CASE NO. 15-45040-RFN-13

**ORDER GRANTING AMENDED MOTION AND NOTICE OF INTENTION TO SELL
DEBTOR'S HOMESTEAD (3104 NORMANDY DR.)
FREE AND CLEAR OF ALL LIENS, CLAIMS AND ENCUMBRANCES,
TO LIMIT NOTICE**

On this day came for consideration the *Amended Motion and Notice of Intention to Sell Debtor's Homestead (3104 Normandy Dr.) Free and Clear of All Liens, Claims and Encumbrances, to Limit Notice* (Docket No. __) (the "Motion"). After reviewing the pleadings and all objections to the sale being resolved, the Court is of the opinion that the sale should be

approved in accordance with Debtor's Motion, that creditors and parties in interest have been given good and sufficient notice, that all parties and entities claiming liens and encumbrances against said property could be compelled, in a legal or equitable proceeding, to accept a money satisfaction of such interest, and that the proposed sale being made in good faith, within the meaning of 11 U.S.C. § 363. The Court **GRANTS** the Motion, therefore,

IT IS ORDERED that the Debtor is hereby authorized and allowed to sell the property more fully described as Lot 37, Block B, El Dorado Estates, Phase III Addition to the City of McKinney, Collin County, TX aka 3104 Normandy Dr., McKinney, TX.

IT IS FURTHER ORDERED that, after payment of the ad valorem taxes, closing costs, real estate commission and certain administrative expenses allowed by I.R.S.(attorney's fees to counsel for Debtor), the balance of the proceeds (approximately \$295,179.50) will be paid to the Internal Revenue Service and the I.R.S. lien against the property shall be transferred to the funds received at closing rather than against the property located at 3104 Normandy Dr., McKinney, Texas. The funds are to be applied to the secured liabilities first to tax, then to penalty, and then to interest, in order of age beginning the oldest tax period. The payment to the Internal Revenue Service under this Order should be made payable to the United States Department of Justice and sent to, and in care of, the Department of Justice, 717 N. Harwood, Suite 400, Dallas, TX 75201, Texas 76102, Attn: Thomas M. Herrin.

IT IS FURTHER ORDERED that the sale will be free and clear of liens, claims and encumbrances, except the liens of the parties reflected on Exhibit "A" to the Motion;

IT IS FURTHER ORDERED that Debtor's counsel be awarded a carve out of fees in the amount of \$5,500 for previous fees incurred as well as fees incurred for the preparation of the Motion to Sell, the Motion for Expedited Hearing and for attending the hearing on the

Motions and fees previously approved by this court but not yet paid by the Trustee; The fees will be deposited into the Trust Account of St. Clair Newbern, III and can not be disbursed by Newbern until such fees have been approved by the Court. The check shall be made out to “St. Clair Newbern, III, P.C., Trust Account” and mailed to P.O. Box 101477, Fort Worth, Texas 76109”;

IT IS FURTHER ORDERED that the 2017 and subsequent years ad valorem tax liens shall remain attached to the said property and become the responsibility of the purchaser of said property;

IT IS FURTHER ORDERED that Notice be limited to parties claiming liens against the property, the Chapter 13 Trustee and any party filing a Notice of Appearance; and

IT IS FURTHER ORDERED that this Order is effective immediately and the fourteen (14) day waiting period be and is hereby waived.

END OF ORDER

APPROVED:

St. Clair Newbern, III
LAW OFFICE OF
ST. CLAIR NEWBERN, III, P.C.

BY: /s/St. Clair Newbern, III
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Thomas M. Herrin
DEPARTMENT OF JUSTICE

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